

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES EVERETT SHELTON
Plaintiff

No. 2:18-cv-03723-NIQA

v.

FCS CAPITAL LLC, ET AL.
Defendants

CERTIFICATION OF JOSHUA L. THOMAS REGARDING DISCOVERY RESPONSES

1. A hearing occurred on July 17, 2020 regarding the outstanding post-judgment discovery.
2. At the hearing, the court stated that Defendants were to comply with the discovery responses, with no objections or post a bond by July 24, 2020.
3. As of yesterday, July 23, 2020, all of the outstanding responses and been sent to the attorney for Plaintiff. (see Exhibit A).
4. An order was entered on July 21, 2020, stating that “IT IS FURTHER ORDERED THAT DEFENDANTS SHALL PAY INTO THE COURT'S REGISTRY A SANCTION OF \$100 PER DAY FROM THE DATE OF THIS DECISION UNTIL THE DEFENDANTS EITHER COMPLY WITH THE COURTS ORDER 55 OR POST A BOND PURSUANT TO FED. R. CIV. P. 62.”
5. It seems that the order was entered in error, as the court had stated that the responses or bond could be posted by July 24, 2020 with no penalty.
6. As such, since the responses have now been submitted, we now ask that the court issue an order clarifying that no “sanction” is due since everything was submitted prior to July 24, 2020 as initially stated by the court, or at a minimum, the sanction is limited to two days, through July 23, 2020, as that is when the responses were sent.

7. Further, we ask the court acknowledge that these responses were considered complete by Defendants upon submission to opposing counsel, nothing was objected to, and as such, any perceived “deficiencies” by Plaintiff not be considered as part of any prior orders.

I hereby certify that the foregoing statements made by me are true and correct to the best of my knowledge. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ Joshua L. Thomas
Joshua L. Thomas

EXHIBIT A



Josh Thomas <joshualthomas@gmail.com>

Fwd:**Josh Thomas** <joshualthomas@gmail.com>

Thu, Jul 23, 2020 at 6:36 PM

To: Bryan Reo <reo@reolaw.org>

Good evening,

Please see the attached responses to the post-judgment discovery. This is the sum total of all responses we have and can produce, and as such, we will be informing the court that all requests have been responded to, as of today.

Joshua Thomas, Esq.

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